



PUBLIC NOTICE

Alaska Department of Environmental Conservation (DEC)
Wastewater Discharge Authorization Program/§401 Certification
555 Cordova Street, Anchorage AK9501-2617
Phone: 907-269-6285 | Email: DEC-401Cert@alaska.gov

Notice of Application for State Water Quality Certification

Public Notice (PN) Date: April 7, 2023
PN Expiration Date: May 7, 2023

PN Reference Number: POA-2023-00052 v1.0
Waterway: Nazuruk Channel

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act (CWA) of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the CWA, the Alaska Water Quality Standards, and other applicable State laws.

Notice is hereby given that a request for a CWA §401 Water Quality Certification of a Department of the Army Permit application, Corps of Engineers' PN Reference Number indicated above has been received for the discharge of dredged and/or fill materials into waters of the United States (WOUS), including wetlands, as described below, and shown on the project figures/drawings. The public notice and related project figures/drawings are accessible from the DEC website at <https://dec.alaska.gov/water/wastewater/>.

To comment on the project or request for a public hearing with respect to water quality, submit comments electronically via the DEC public notice site at <https://water.alaskadec.commentinput.com/?id=DNtS4> on or before the public notice expiration date listed above.

Applicant: Noorvik Native Community, Berenda Newlin, Post Office Box 209 Noorvik, AK 99763; 907-636-2144; transportation@nuurvik.org.

Agent: DOWL, Josh Grabel, 5015 Business Park Blvd., Suite 4000 Anchorage, AK 99503; 907-865-1258; jgrabel@dowl.com.

Project Name: Noorvik Middle Cemetery Road Project

Location: The proposed activity is located within Section 36, T. 17N, R. 11W; Kateel River Meridian; in Northwest Arctic Borough, Alaska. Project Site: Latitude 66.82243, Longitude -160.9838, Northwest Arctic Borough, Alaska.

Purpose: The applicant's stated purpose is to construct a new roadway to provide safe access to a local cemetery near Noorvik. The existing cemetery is currently accessed via all-terrain vehicle traveling over unimproved tundra. This has degraded tundra and underlaying permafrost and potentially causing damage to the cemetery.

Project Description: The proposed Middle Cemetery Road Project is being funded by the Bureau of Indian Affairs (BIA) and will involve construction of a 0.98 mile long, two-way, single lane roadway to an existing cemetery that does not currently have road access. The roadway will be constructed to have a 10-foot-wide travel lane with 6-foot-wide shoulders. The road will be 60 feet wide at the toe of the slope. Also, the proposed roadway would end in a cul-de-sac at the cemetery and have four pullouts that are spaced approximately every 1,000 feet.

The Middle Cemetery Road would be constructed as an overlay section on top of the existing ground without stripping vegetation or excavation to protect underlaying permafrost and reduce premature road degradation. These construction activities will result in the permanent loss of approximately 7.27 acres of wetlands.

Additional Information: The proposed project will require the following additional authorizations: Northwest Arctic Borough Title 9 Land Use Permit.

Applicant Proposed Mitigation: The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to waters of the United States from activities involving discharges of dredged or fill material.

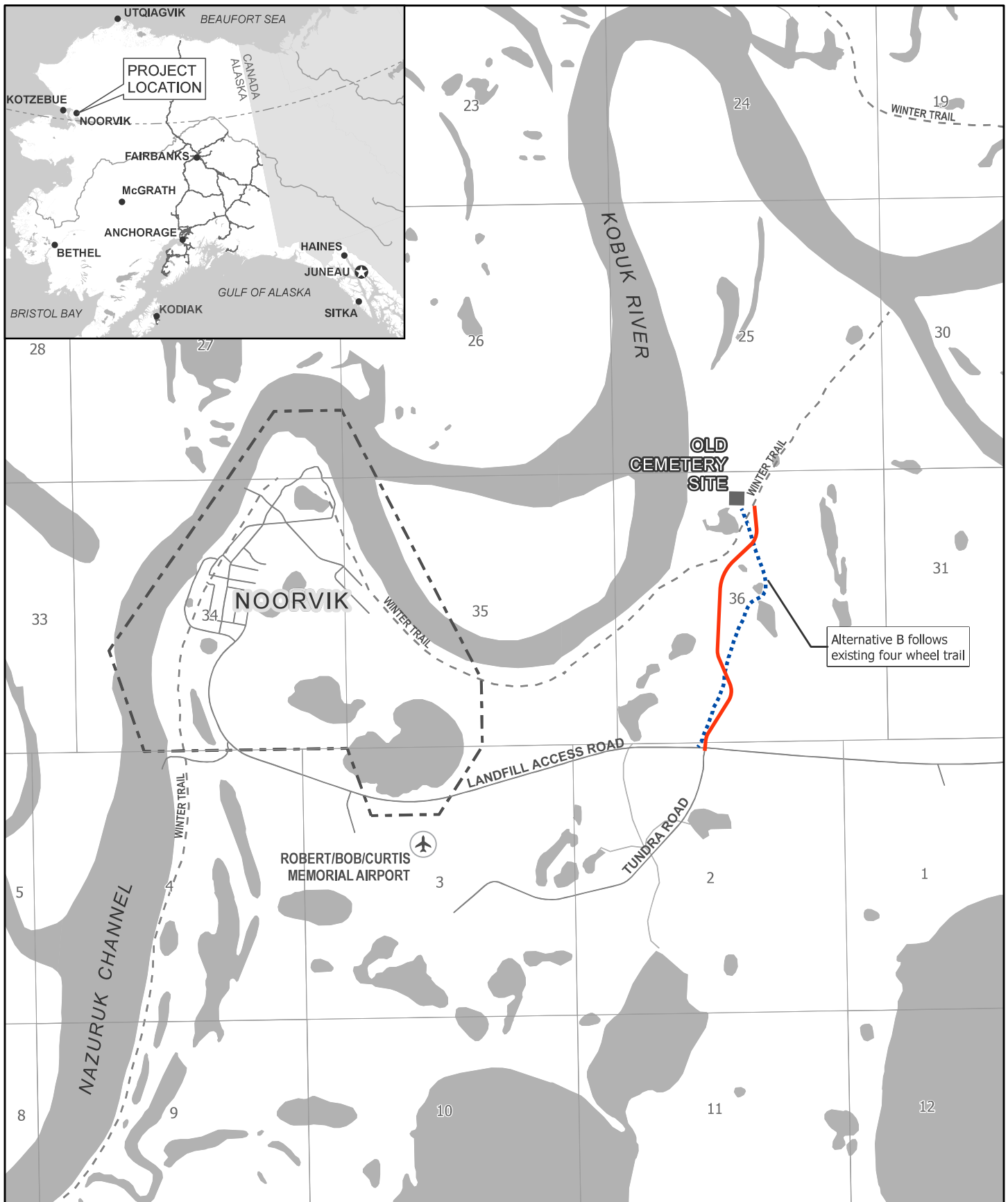
- a. **Avoidance:** The area around the cemetery is surrounded by wetlands and, as a result, impacts to wetlands are not avoidable for road developments in this area.
 - b. **Minimization:** Impacts to wetlands will be minimized in several different ways. Side slopes will be minimized to a 2:1 ratio. To prevent disruption to natural hydrology, culverts will be installed at natural drainage channels and areas where water is likely to pond on one or both sides of the road embankment. The underside of the culverts will be insulated to protect the underlying permafrost. In addition, no new construction staging areas will be used, which will minimize impacts. Also, fill material will be sourced from an existing permitted site and will not result in any additional wetland impacts. Lastly, water quality will be maintained throughout construction through the implementation of construction best management practices.
 - c. **Compensatory Mitigation:** No compensatory mitigation is proposed for the project's wetland impacts.
-

After reviewing the application, the Department may certify there is reasonable assurance the activity, and any discharge that might result, will comply with the CWA, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

The permit application and associated documents are available for review. For inquiries or to request copies of the documents, contact dec-401cert@alaska.gov, or call 907-269-6285.

Disability Reasonable Accommodation Notice

The State of Alaska, Department of Environmental Conservation complies with Title II of the Americans with Disabilities Act (ADA) of 1990. If you are a person with a disability who may need special accommodation in order to participate in this public process, please contact ADA Coordinator Meg Kohler at 907-269-4198 or TDD Relay Service 1-800-770-8973/TTY or dial 711 prior to the expiration date of this public notice to ensure that any necessary accommodations can be provided.



Applicant: Noorvik Native Community

File No.: POA-XXXX-XXXX

Waterway: Kobuk River

Proposed Activity: Middle Cemetery Road

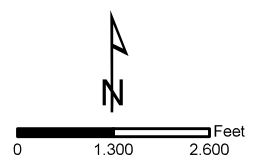
Sec 2, T 16 N, R 11 W; Sec 36, T 17 N, R 11 W Kateel River Meridian

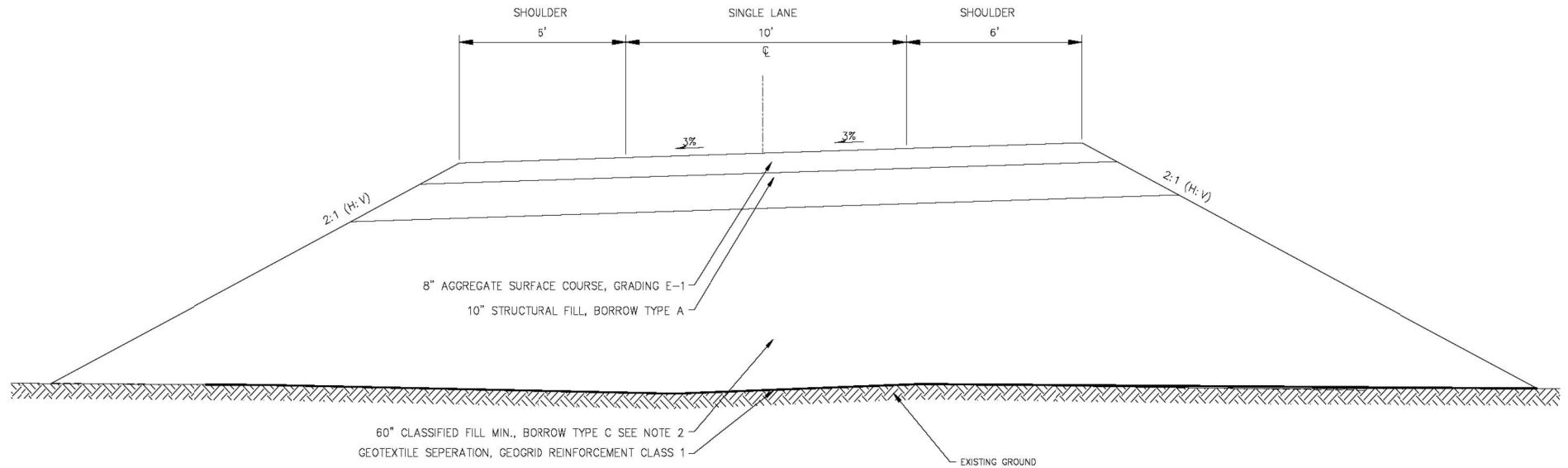
Lat.: 66.828827° N Long.: -160.981807° W

Sheet: 1 of 8

Date: 11/23/2022

- DOT&PF Road
- Alternative A (Proposed)
- Alternative B (Existing)
- ▭ Incorporated City Boundary

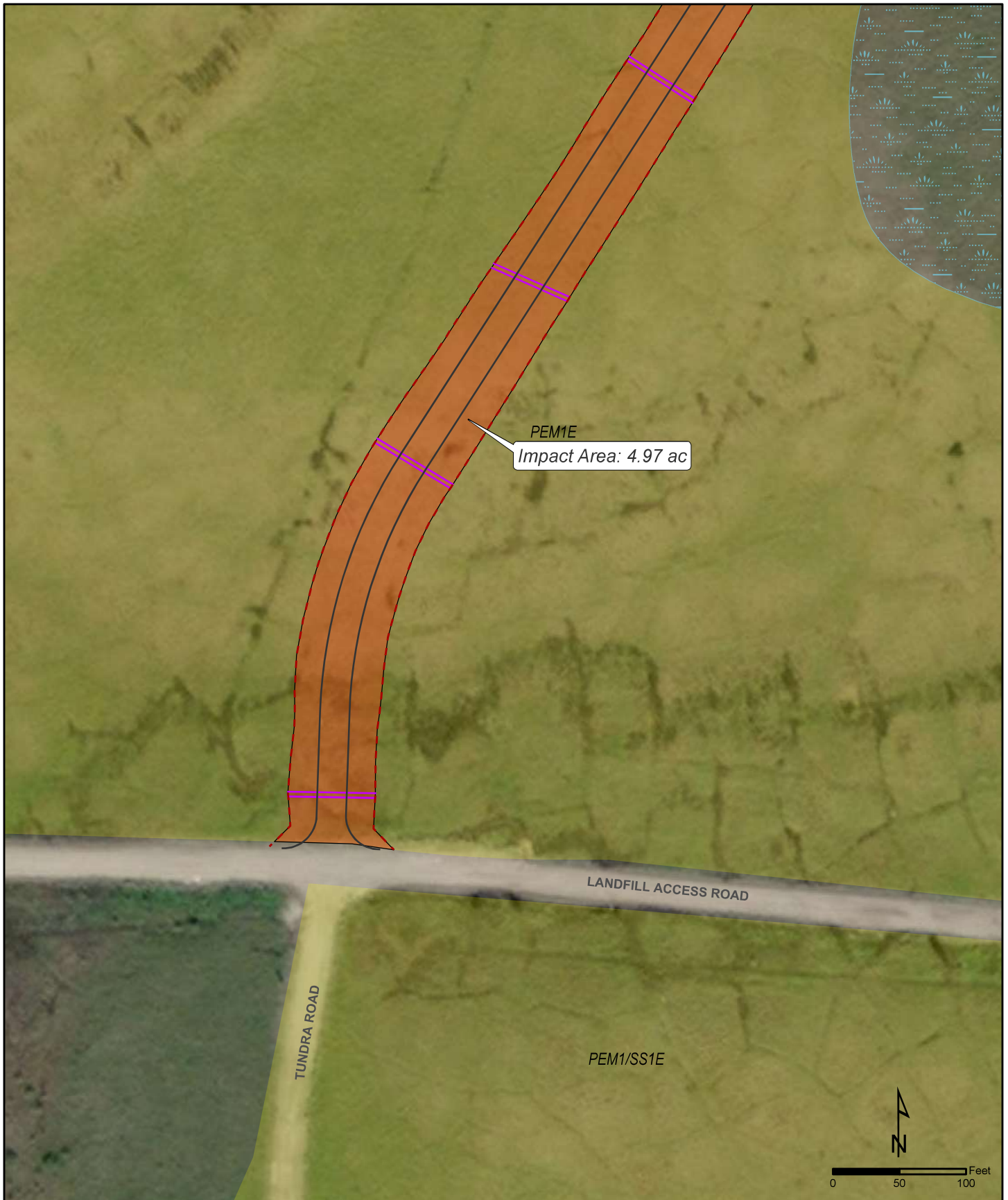




Applicant: Noorvik Native Community
 File No.: POA-XXXX-XXXX
 Waterway: Kobuk River
 Proposed Activity: Middle Cemetery Road
 Sec 2, T 16 N, R 11 W; Sec 36, T 17 N, R 11 W Kateel River Meridian
 Lat.: 66.828827° N Long.: -160.981807° W
 Sheet: 8 of 8

Date: 11/23/2022

Typical Not to Scale



Applicant: Noorvik Native Community

File No.: POA-XXXX-XXXX

Waterway: Kobuk River

Proposed Activity: Middle Cemetery Road

Sec 2, T 16 N, R 11 W; Sec 36, T 17 N, R 11 W Kateel River Meridian

Lat.: 66.828827° N Long.: -160.981807° W

Sheet: 1 of 6

Date: 2/17/2023

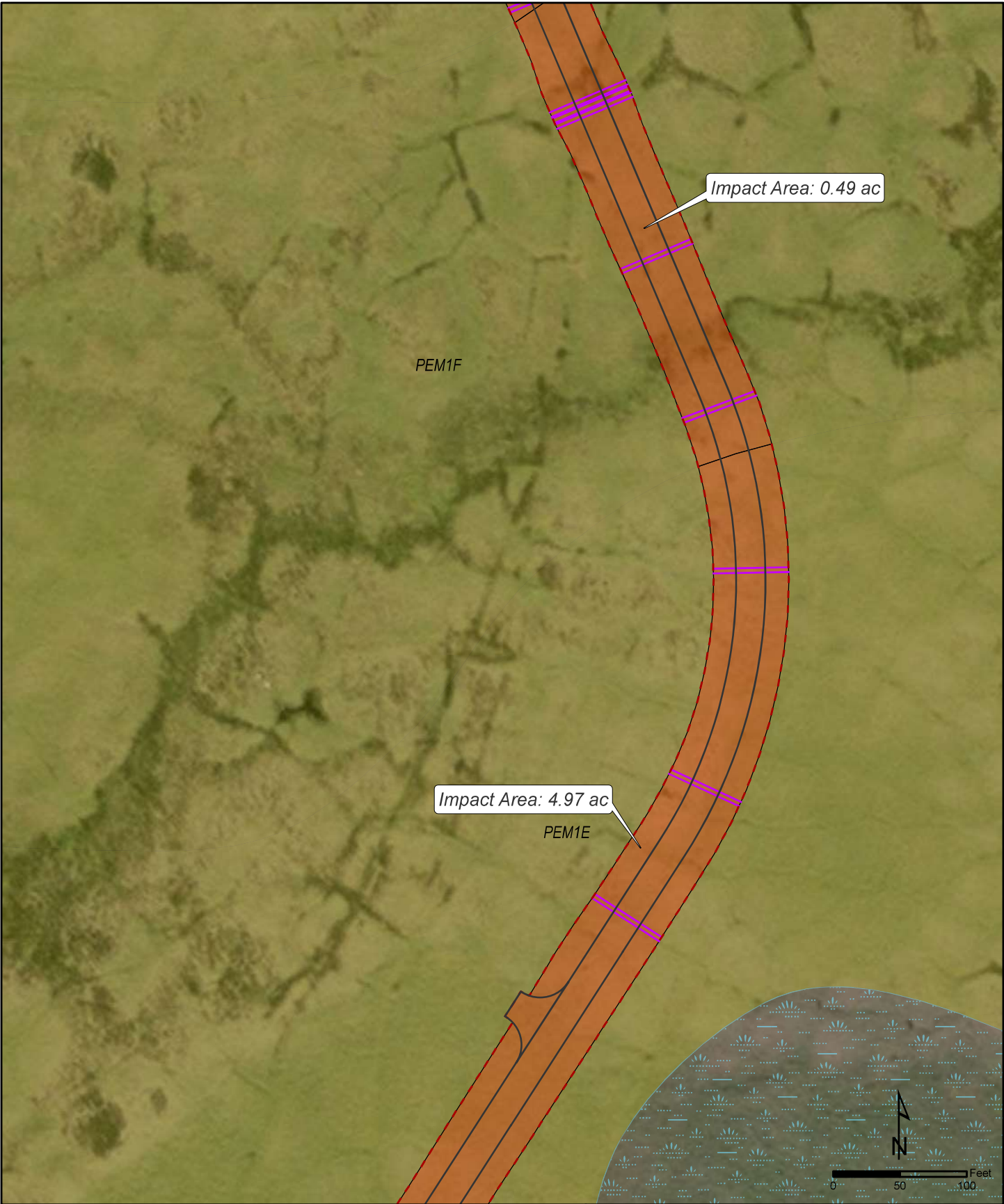
- - - Proposed Fill Limits
- Edge of Gravel Road
- Proposed Culvert

NWI Mapped Wetland

Freshwater Emergent

DOWL Mapped Wetland

Palustrine Emergent



Impact Area: 0.49 ac

PEM1F

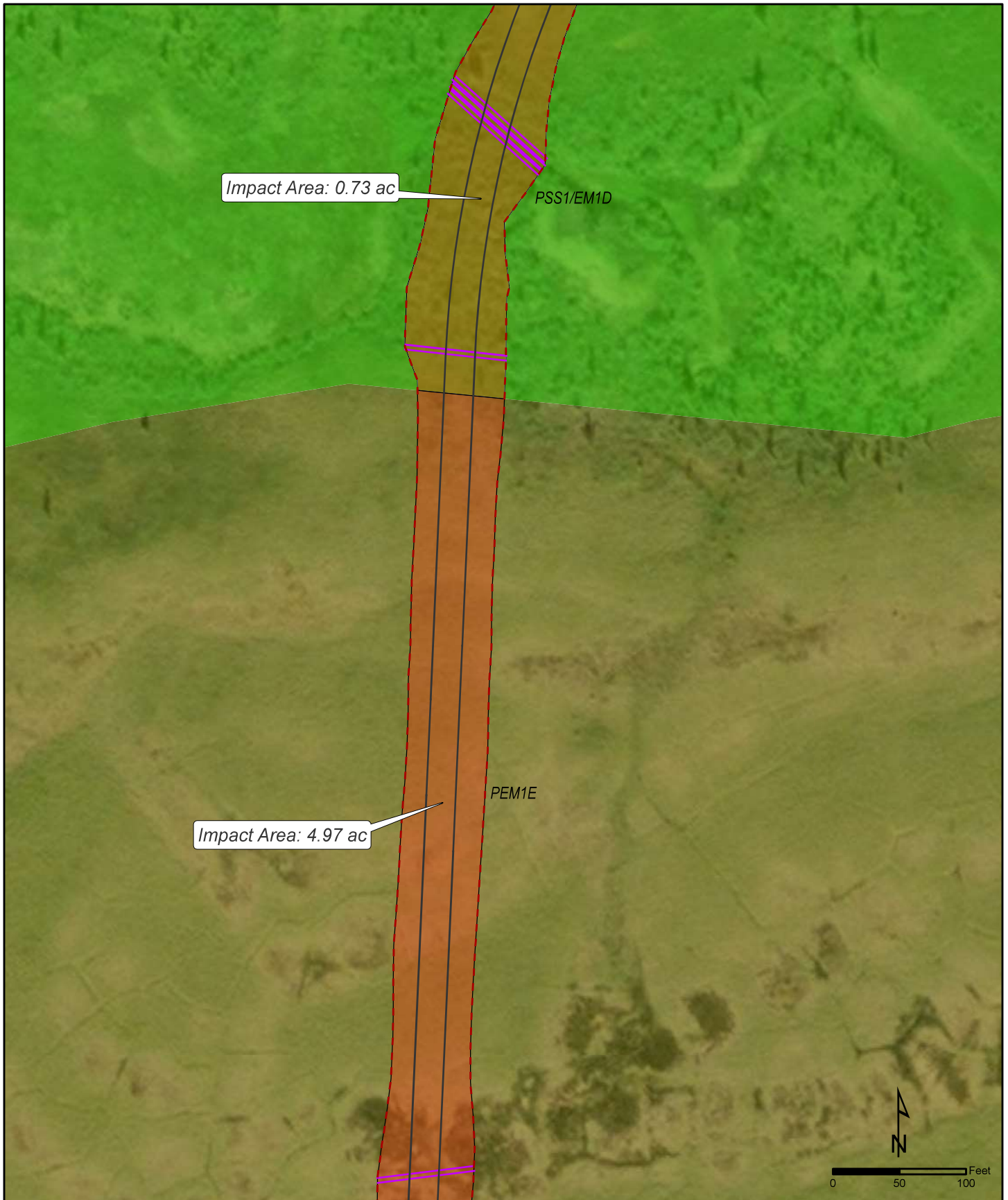
Impact Area: 4.97 ac

PEM1E

Applicant: Noorvik Native Community
File No.: POA-XXXX-XXXX
Waterway: Kobuk River
Proposed Activity: Middle Cemetery Road
Sec 2, T 16 N, R 11 W; Sec 36, T 17 N, R 11 W Kateel River Meridian
Lat.: 66.828827° N Long.: -160.981807° W
Sheet: 2 of 6
Date: 2/17/2023

- - - Proposed Fill Limits
- Edge of Gravel Road
- Proposed Culvert

NWI Mapped Wetland
Freshwater Emergent
DOWL Mapped Wetland
Palustrine Emergent



Applicant: Noorvik Native Community

File No.: POA-XXXX-XXXX

Waterway: Kobuk River

Proposed Activity: Middle Cemetery Road

Sec 2, T 16 N, R 11 W; Sec 36, T 17 N, R 11 W Kateel River Meridian

Lat.: 66.828827° N Long.: -160.981807° W

Sheet: 4 of 6

Date: 2/17/2023

- - - Proposed Fill Limits

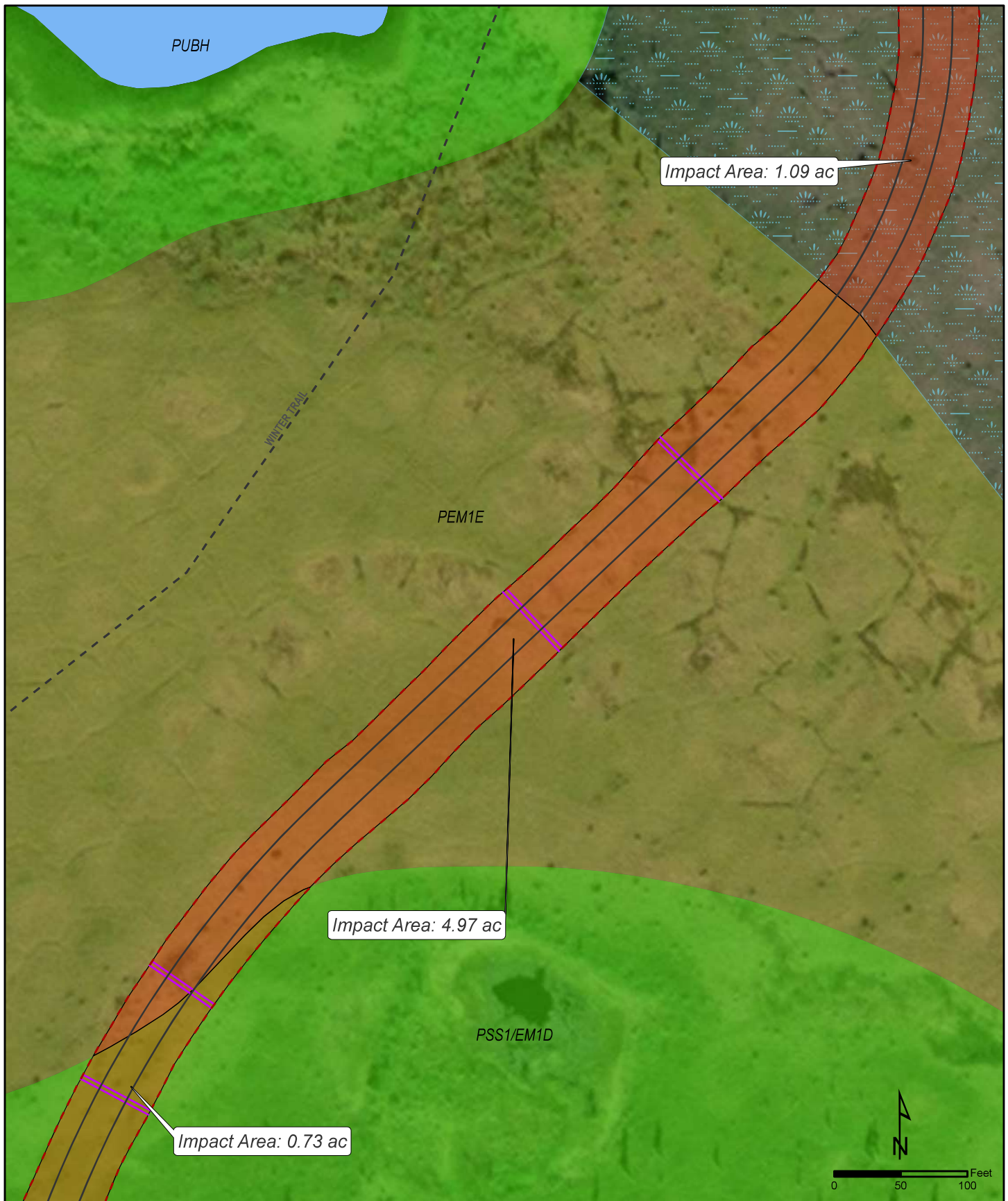
— Edge of Gravel Road

— Proposed Culvert

NWI Mapped Wetland

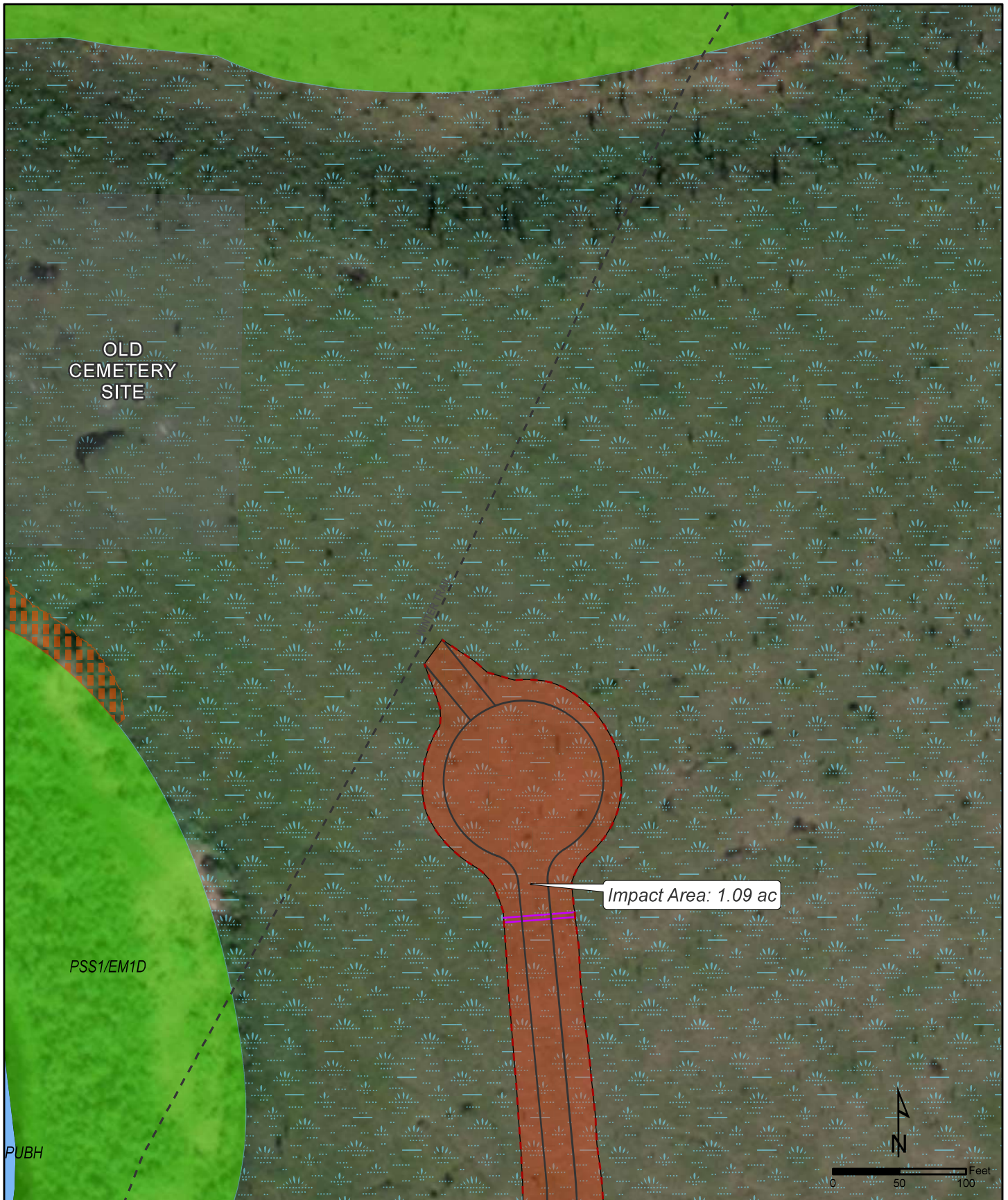
Freshwater Emergent

Freshwater Forested/Shrub



Applicant: Noorvik Native Community
 File No.: POA-XXXX-XXXX
 Waterway: Kobuk River
 Proposed Activity: Middle Cemetery Road
 Sec 2, T 16 N, R 11 W; Sec 36, T 17 N, R 11 W Kateel River Meridian
 Lat.: 66.828827° N Long.: -160.981807° W
 Sheet: 5 of 6
 Date: 2/17/2023

- | | |
|----------------------------|---------------------------------|
| - - - Proposed Fill Limits | NWI Mapped Wetland |
| — Edge of Gravel Road | Yellow Freshwater Emergent |
| — Proposed Culvert | Green Freshwater Forested/Shrub |
| - - - Existing Trail | Blue Freshwater Pond |
| | DOWL Mapped Wetland |
| | Blue Palustrine Emergent |



Applicant: Noorvik Native Community
 File No.: POA-XXXX-XXXX
 Waterway: Kobuk River
 Proposed Activity: Middle Cemetery Road
 Sec 2, T 16 N, R 11 W; Sec 36, T 17 N, R 11 W Kateel River Meridian
 Lat.: 66.828827° N Long.: -160.981807° W
 Sheet: 6 of 6

Date: 2/17/2023

- | | |
|----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| - - - Proposed Fill Limits | NWI Mapped Wetland |
| — Edge of Gravel Road | Freshwater Forested/Shrub |
| Proposed Culvert | Freshwater Pond |
| - - - Existing Trail | DOWL Mapped Wetland |
| | Palustrine Emergent |
| | Palustrine Scrub |